

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LBS INNOVATIONS, LLC,

Plaintiff,

v.

BP AMERICA, *et al.*,

Defendants.

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Civil Action No. 2:11-cv-407

LEAD CASE

LBS INNOVATIONS, LLC,

Plaintiff,

v.

SALLY BEAUTY SUPPLY LLC, *et al.*,

Defendants.

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Civil Action No. 2:11-cv-409

CONSOLIDATED

STIPULATED MOTION FOR DISMISSAL

Plaintiff LBS Innovations, LLC (“LBSI”) and Defendants Chick-Fil-A, Inc., Safeway Inc., and True Value Company (collectively “Defendants”), pursuant to the Federal Rules of Civil Procedure 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims in this action asserted between them.

Plaintiff requests that its claims and causes of action (including counterclaims) in this action against Defendants be dismissed **WITH PREJUDICE**.

Defendants request that their claims and causes of action (including counterclaims) in this action against Plaintiff be dismissed **WITHOUT PREJUDICE**.

Each party to bear its own costs, expenses and attorneys’ fees.

Dated: April 8, 2014

Respectfully submitted,

BUETHER JOE & CARPENTER, LLC

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**ATTORNEYS FOR PLAINTIFF
LBS INNOVATIONS, LLC**

**ATTORNEYS FOR DEFENDANTS BEN &
JERRY'S HOMEMADE HOLDINGS, INC., JO-
ANN STORES, INC., PILOT TRAVEL CENTERS
LLC, RANDALL'S FOOD & DRUGS LP,
SAFEWAY, INC. D/B/A TOM THUMB, THE
CHEESECAKE FACTORY RESTAURANTS, INC.,
AND DENNY'S, INC. D/B/A DENNY'S
RESTAURANTS, INC.**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a) on this 8th day of April, 2014. Any other counsel of record will be served by facsimile transmission.

/s/ Niky Bukovcan

Niky Bukovcan